

DIST/OFFICE	DOCKET YR. NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	R 23	DEMAND \$	OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR. NUMBER
1085/4	76 0415	08 04 76	4	355	2	12		902		8509/ 8510	P	76 0415-B C

## PLAINTIFFS

BARBARA JEAN ESTES, individually;  
SHELLEY DAWN ESTES, a minor, who  
sues by and through her mother and  
next friend, BARBARA JEAN ESTES;  
TERRY DEWAYNE ESTES, a minor,  
who sues by and through his mother  
and next friend, BARBARA JEAN ESTES:  
and BARBARA JEAN ESTES, Administratrix  
of the Estate of ROBERT ALONZO ESTES,  
JR., deceased.

## DEFENDANTS

AMERICAN LA FRANCE, INC., a  
corporation, otherwise known as  
AMERICAN-LA FRANCE-FOAMITE  
CORPORATION, a corporation,  
otherwise known as "AUTOMATIC"  
SPRINKLER CORPORATION OF AMERICA,  
a corporation; and GEORGE CLINE.  
STERLING PRECISION CORP.

## CAUSE

T. 28 §1332. Action for money damages for wrongful death under the theory  
of manufacturer's product liability and negligence.

## ATTORNEYS

~~Patricia Sellers~~ 7-19-78  
~~W. C. Sellers, John L. Harlan~~  
~~202 Security Bank Bldg.~~  
~~P. O. Box 1404~~  
~~Sapulpa, OK 74066 224-5357~~

Thomas R. Brett  
Suite 400  
201 West 5th  
Tulsa, OK 74103 583-1115

Maurice E. Lampton (Sterling Precisi  
Security Bldg. ion Corp.)  
Sapulpa, OK 74066  
224-1370

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	09-01-76
				JS-6	4-1-79

## PROCEEDINGS

B

DATE 1976	NR.	PROCEEDINGS
8-4	1.	Petition for removal from Creek County State Court, filed with copy of original compl.k
8-4	2.	Bond on removal in amt. of \$500.00, filed (Travelers Indemnity Co.).k
8-4	3.	Notice of removal, filed.k
8-4	4.	Proof of filing petition for removal with Creek County State Court, filed.k
8-4	5.	Answer of defendant American-La France, Inc., filed.k
8-4	6.	Motion to Dismiss, filed by deft. Cline, w/ aff. of George Cline.k
8-4	7.	Brief in support of petition for removal and motion to dismiss, filed by deft. Cline.k
8-4	MO	It is ordered by the Court that the Pltf. file a responsive brief w/in ten days to deft Cline's mot. to dismiss. (AEB-J)k cps mld
8-6	8.	Acknowledgment of Creek County Clerk of receipt of copy of pet. for removal, filed.k
8-9	9.	Pltfs' request for additional time till 9-28-76 to respond to Deft. Cline's motion to dismiss, filed.s 0 to J.
8-11	10.	Pltfs' motion to remand, filed.s <u>JURY TRIAL DEMANDED.</u>
8-11	11.	Pltfs' brief in support of motion to remand, filed.s
8-11	MO	It is ordered by the Court that the Defts. file a responsive brief within ten (10) days to Pltfs' motion to remand.(AEB-J)s cps. mld.
8-11	12.	Order, filed, granting pltfs. till 9-28-76 to respond to deft. Cline's motion to dismiss. (AEB-J)s cps. mld.
8-19	13.	Deft. American LaFrance, Inc.'s brief in opposition to Pltfs' motion to remand, filed.s
8-19	14.	Deft. American LaFrance, Inc.'s amended answer, filed.s
✓ 8-23	15.	Pltfs' interros. to defts. American, filed.k
8-23	16	Supplemental affidavit of George Cline, Jr., filed.k
9-13	17	Pltfs' application for extension of time till 10-11-76 to respond to mot. to dismiss of Deft. George Cline, filed.s 0 to J.
9-16	18.	Order, fld., granting Pltf. be granted an ext. of time until 10-11-76 w/in which to respond to Deft. Cline's mot. to dismiss. (AEB-J)v -cps. mld.
9-23	19.	Motion of def., American LaFrance for ext. of time to ans. interrog., filed. rm
9-27	20.	Order, filed, granting deft. American LaFrance till 10-4-76 to ans. pltf's interrog.s (AEB-J) cps. mld.
✓ 10-4	21.	Deft. American La France, Inc.'s, answer to interrogatories by pltf. filed.s
10-8	22.	Pltfs' motion for ext. of time to respond to mot. to dismiss of deft. George Cline, filed.s 0 to J
10-12	23	Order, filed, granting pltf. until 10-26-76 to respond to mot. to dismiss. (AEB-J)g cp mld.
10-26	24.	Motion for ext. of time thru' 11-10-76 to file brief in response to motion to dismiss by deft Geo. Cline, filed. lm (o to J)
10-27	25.	Order, filed, granting pltfs through 11-10-76 to respond to deft Geo. Cline's motion to dismiss. (AEB-J)lm cps mld
11-1	26.	Defts' motion to quash notice to take deposition, filed.s <i>by 11-1</i>
11-1	27.	Order, filed, sustaining mot. to quash ntc to take depositions. (AEB-J)k ntc by phone & cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT <div style="font-size: 2em; text-align: center;">B</div>	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1976		
11-10	28.	Pltfs' motion to amend mot. to remand, filed.k
11-10	MO	It is ordered by the Court that the defts. are granted 10 days to file a responsive brief to pltfs' mot. to amend mot. to remand. (AEB-J)k cps mld
11-10	29.	Plaintiffs' brief in support of motion to remand and response to mot. to dismiss of defendant Cline, filed.s
11-22	30.	Deft's responsive brief to pltf's brief and pltf's motion to amend motion to remand, filed.s
11-24	31	Notice to take deposition of Dan Whitehouse at Sapulpa, Okla., on Tuesday, 12-7-76, filed. Subpoena issued.s
12-1		Dep. Sub. ret. & fld; served Dan Whitehouse 11-29-76. (USM \$5.72)g
12-9	32	Pltfs' motion to abate the above cause of action, filed.s
12-9	MO	It is ordered by the Court that the defendants file a responsive within 10 days to pltfs' motion to abate .s (AEB-J) cps. mld.
12-16	33.	Deft's response to pltfs' mot. to abate, filed.k
12-22	34.	Reply to deft's "Response to Pltf's Motion in Abatement" filed.lm
1-4-77		Deposition of Dan Whitehouse on behalf of defts., filed. (\$144.00)g
1-7	35.	Pltfs' reply to defts' response brief filed 11-22-76, filed as supplement to pltfs' brief filed 11-10-76.k
2-28	36	Transcript of deposition of James C. Hendricks. fld. ho
3-3	37	Order, fld. & entered sustaining Deft. George Cline, Jr. Mot to dismiss & overruling Pltf. mot to remand. (AEB-J) cps mld. ho
3-11	38.	Demand for Trial by Jury, fld. by the Pltfs. v
4-1	MO	Parties are directed to hold a PT conference on or before 5-13-77 and file an agreed PTO on or before 5-20-77. (AEB-J)k cps mld
4-8	39.	Pltfs' mot. to add Sterling Precision Corp. as additional party deft., filed.k O to J
4-8	40.	Affidavit of Barbara Jean Estes, filed.k
4-11		Dep. of George Howard Cline, Jr., on behalf of pltfs., taken before Millie Ballard (LSR) on 11-30-76 at Tulsa, filed. lm
4-12	41.	Order, filed, that Sterling Precision Corp. be made a party deft. and that pltf. file amended complaint and issue service within 10 days. (AEB-J)k cps mld
4-22	42	Amended Complaint, fld. summons issued. ho
4-28	43.	Certificate of service of summons and amended compl., filed. Served Sterling Precision Corp. by serving Sec. of State of OK, on 4-26-77, at Okla. City, OK.k
4-28	44.	Joint appl. of pltfs. & deft. American La France to continue pre-trial, filed.k O to J
5-4	45.	Order, filed, continuing pre-trial docket; to be reset at a later date. (AEB-J)k cps mld
5-6	46.	Answer of deft. Amer. La France to pltf's amended complaint and cross-petition against deft. Sterling Precision Corp., filed.k

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-415-B
BARBARA JEAN ESTES, et al		AMERICAN LA FRANCE, INC., et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
5-12-77	47.	Cert. of service of Amended Compl, filed. lm	
5-17	48	Deft. Sterling Precision Corp. ans. to amended compl. fld. ho	
5-18	49	Deft. Sterling Precision Corp. ans. to cross-petition with cross-complaint as to Automatic Sprinkler Corp. of America. fld. ho	
6-7	50	Deft. American La France, Inc. ans. to cross-compl. of co-Deft. fld. ho	
✓ 6-10	51	Interrogatories of Deft. American LaFrance, filed. b	
7-8	52.	Deft. Sterling's appl. to answer deft. LaFrance's interrogs. 8-12-77, filed.k O to J by atty	
7-12	MO	The Court has for consideration the mot. of deft. Sterling Precision Corp. for an ext. of time to answer interrogs., and being fully advised in the premises, IT IS ORDERED that the mot. of Sterling Precision Corp. is granted and said deft. is granted until 8-12-77 to answer the interrogs. of Deft. American La France, Inc. (AEB-J)k cps mld	
7-20	53	Deft. American La France, Inc.'s request for production of materials, filed. lm	
8-19	54	Pltf's objection to deft. American LaFrance's request for production of materials and brief, filed.k	
8-23	55	Pltf. affid. of Robert Jay Block, in supp. of obj. to request for production of materials. fld. ho	
8-26	56	Deft. Sterling mot. for ext. to time to ans. interrog. fld. ho O to J.	
8-29	57.	Order, filed, granting deft. Sterling until 9-12-77 to answer the interrogs. of deft. Amer. (AEB-J)k cps mld	
✓ 9-8	58	Deft. Sterling ans. to interrog. of Pltfs. fld. ho	
9-14	MO	Parties are directed to hold a pre-trial conf. on or before 10-27-77 & file a pre-trial order on or before 11-3-77. (AEB-J) cps mld. ho	
✓ 10-7	59.	Deft. Automatic Sprinkler Corp's second interrogs. to deft. Sterling Precision Corp., filed.k	
10-13	60	Pltfs. <u>DEMAND FOR TRIAL BY JURY</u> . fld. ho	
10-14	61	Deft. American La France, Inc. mot. to produce. fld. ho	
10-14	MO	It is ordered that the Pltfs. are granted 10 days to file a responsive brief to Deft. American La France mot. to produce. (AEB-J) cps mld. ho	
10-18	62.	Joint motion for extension of time to hold pre-trial conference, fld.k	
10-19	63.	Responsive brief to motion to produce by pltf., fld. mm	
10-26	64	Deft. American LaFrance, Inc. brief in supp. of mot. to produce. fld. ho	
10-26	65	Order, filed granting parties ext. of time to hold P.T. conf. until 11-25-77. and to file preposed P.T. order. (AEB-J) cps. mld. mm	
11-3	66	Deft. American LaFrance, Inc. not. to take depo. of Olga McNaney Powers on 11-7-77 in Clarksville, Tenn. fld. ho	
11-15	67	Pltfs. reply brief to brief in supp. of mot. to produce. fld. ho	
11-18	68	Deft. Sterling mot. to produce. fld. ho	
11-18	69	Pltf. responsive brief to Deft. Sterling mot. to produce. fld. ho	
11-18	70	Deft. Sterling mot. for ext. of time to ans second interrog of Deft. LaFrance. fld. ho	
11-21	71	Joint mot. for ext. of time to hold PT conference. fld. ho O to J.	
11-22	72	Order, fld. granting parties an ext. of time to hold PT conference & file PTO until 1-21-77. (AEB-J) cps to movant. ho	
11-22	73	Order, fld. granting Deft. Sterling an ext. of time to ans. second. interrog. of Deft. LaFrance until 12-15-77. (AEB-J) cps to movant. ho	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
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DATE	NR.	PROCEEDINGS	
12-1	MO.	Case referred to Mag. Robert S. Rizley pursuant to Order No. M-128. (AEB-J) mm	
12-1	MO:	Case set for hearing on motions before Mag. Rizley on 12-12-77, at 11:00 A.M. (RSR-Mag) b nts by KT	
12-6	73a	Deft. American LaFrance, Inc. supplemental brief in supp. of mot. to produce. fld. ho	
12-8	74	Pltfs. request for production of documents for inspection & copying. fld. ho	
12-12	75	Supplemental affid. of Robt. Jay Block in supp. of obj. to request for production of materials. fld. ho	
12-12		Depos. of Cecil Wilcher, Roy Wresche, B. N. Taylor, E. E. Hull, Tony Woodall, Lem Rhodes, Bob Alberding, Leon Smith, J. R. Yeager, O. Gail Langston, George Main, Bill Galatian Dan Whitehouse, WL. L. Johnston Eli Walker, taken on behalf of the Defts. on 9-29-77 & Olga Powers on 11-7-77 & Robert Jay Block on 10-21-77 all on behalf of Defts., before Millie Ballard, LSR. fld. ho	
✓ 12-12	76.	Answers to Deft.'s Second Interrogos., fld. by Sterling Precision. v	
12-12		Case called for hearing before Mag. Rizley on Defts' American La France's motion to produce & Sterling's motin to produce. Parties rep. Defts' motions sustained in part & overruled in part. Deft. American LaFrance to prepare order w/in 10 days. (RSR-Mag) b	
12-19	77.	Order, filed, that w/in 20 days pltfs. shall produce for chemical analysis by the defts. at O.U., those bolts depicted by photos # 4, 7 & 10 in a report prepared by Dr. Robert Brock. Pltfs. & Dr. Brock shall be furnished a copy of the report. Defts. are allowed to utilize up to 6 grams from the head of a bolt. Therefore, it is ordered that deft. Amer. La France's mot. to produce is granted & deft. Sterling's mot. to produce is sustained in part & overruled in part. (RSR-Mag) k cps mld	
1978			
1-3		Depos. of Barbara Jean Estes & Lowell Fred Delcour taken on behalf of Deft. on 12-20-77 before Millie Ballard, LSR in Tulsa, OK, fld. ho	
1-9	78	Deft. Amer. LaFrance's appl. for time until 1-19-78 to produce documents requested by pltfs., filed.k O to J	
1-10	79	Order, filed, granting deft. Amer. LaFrance until 1-19-78 to respond to pltf's request for production of documents & things. (AEB-J) k cps mld to movant	
1-19	80	Deft. American LaFrance response to request for production of documents for inspection & copying. fld. ho	
1-20	81	Joint mot. for ext. of time to hold PT conference, filed. g	
1-23	MO	The Court has for consideration the joint mot. for ext. of 60 days to file pre-trial order & finds that same should be granted. IT IS SO ORDERED. (AEB-J) k cps of orig. order mld	
2-13	82	Pltf's request for production of documents for inspection and copying by deft. American La France, Inc., filed.k	
3-17	83	Deft., American La France response to Pltfs. request for production & inspection of documents. fld. ho	
3-22	84	Joint mot. for ext. of time to hold PT conference, fld. ho O to J.	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
Barbara Jean Estes	American LaFrance	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
3-23	MO	The Ct. has for consideration the Joint mot. for an ext. of 60 days to file PTO, finds that said Jt. Mot. should be granted. IT IS SO ORDERED. (AEB-J)ho c/m
✓ 4-4	85	Pltfs. second interrog. to Deft, American La France, Inc., fld. ho
4-21	86	Notice of deft. Amer. LaFrance to take deposition of Arlene Shingler on 5-12-78 at Elmira, NY, filed.k
5-8	87	Deft. appl. for ext, of time to ans. interrog. fld. ho 0 to J.
5-9	MO	Deft. is granted until 5-30-78 to answer interrogs. (AEB-J)k cps of orig. order mld to movant
5-18	88	Joint mot. for ext. of time to file PTO. fld. ho 0 to J.
5-22	89	Order, filed, granting the parties until 6-12-78 to file a pre-trial order. (AEB-J)k cps mld
5-24	---	Deposition of Raymond Cooper on behalf of deft., taken 4/14/78, filed. (Kristy Kay Turner, CSR)rm
6-8	MO	Case set for disposition before Mag. Robert Rizley on 6-22-78 at 9:30 a.m. for failure of deft. Amer. LaFrance to answer interrogs. (RSR-Mag)k ntc mld
6-12	90	Joint mot. for ext. of time to file PTO. fld. ho 0 to J.
6-13	MO	Parties are granted until 6-22-78 to file an agreed pre-trial order. (AEB-J)k cps of orig. order mld
6-16	91	Pltfs' first request for admissions to deft. Amer. LaFrance, filed.k
✓ 6-16	92	Pltfs' third interrogs. to deft. Amer. LaFrance, filed.k
6-16	93	Pltfs' motion to compel deft. Amer. LaFrance to answer 2nd interrogs., filed.k
6-16	MO	Deft. Amer. LaFrance is ordered to respond to pltfs' mot. to compel answers to interrogs. w/in 10 days of this date. It is further ordered that this case is stricken from the 6-22-78 disposition docket set for 9:30 a.m. (AEB-J)k cps mld
6-26		Deposition of Arlene Shingler on behalf of deft., filed. g
✓ 6-26	94	Deft. American LaFrance ans. to Pltfs. second interrog. fld. ho
✓ 7-3	95	Pltfs. fourth interrog. to Deft. American La France. fld. ho
7-7	96.	Pre-trial order, filed. (AEB-J)k cps mld
7-17	97	Appl. and stipulation for dismissal of pltfs' alleged causes of action against defts. Sterling Precision Corp. and Amer. LaFrance, fld.k
7-19	98	Order of dismissal, fld. & entered It is ordered that the Pltfs. alleged causes of action against Defts. are hereby dismissed w/prejudice, to the refileing of same. The proceeds of any settlement are to be distributed pursuant to order of the Probate Div. of Creek County Dist. Ct. It is further ordered the dismissal w/prejudice of the Pltfs. alleged causes of action does not conclude the claims American LaFrance, Inc. & Sterling Precision Corp. have against the other herein for indemnity & said Defts. are permitted to proceed in this action w/their respective claims for indemnity which may arise from contract, statutory or common law. (AEB-J)ho c/m

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT <b>B</b> American La France, et al	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
1978		
8-14	MO	Parties are directed to hold a pre-trial conf. on or before 9-8-78 & to file an agreed pre-trial order on or before 9-15-78. (AEB-J)k cps mld
9-15	99	Joint appl. for continuance of PT, fld. ho 0 to J.
9-19	100	Order, filed, granting the parties until 10-16-78 to file a pre-trial order. (AEB-J)k cps mld
10/19	101.	Joint Appl. of Deft. American LaFrance and Deft. Sterling Precision Corp. for 30 day ext. of time, (until Wed., Nov. 15, 1978), for the filing of the proposed pretrial order, fld. v -o-
10-20	102.	Order, filed, granting parties to 11-15-78, to file pretrial order. (AEB-J)b cps mld
11-17	103	Joint appl. for ext. until 1-15-79 to file pre-trial order, filed.k 0
11-22	104	Order, filed, granting the parties until 1-15-79 to file a pre-trial order. (AEB-J)k cps mld
1979		
1-16	105	Joint appl. for continuance of PT, fld. ho 0 to J.
1-17	106	Order, filed, granting the parties until 3-16-79 to file a pre-trial order. (AEB-J)k cps mld
3-16	MO	Case transferred to Judge Cook. (JCS-Clk)ho
3-16	107	Joint appl. & stipulation for dismissal of cross complaints, fld. ho 0 to J. w/prejudice
3-19	108	Order of Dismissal/of Defts' Cross-Complaints, fld & entered. (HDC-J)b cps mld
8-20		DEPOSITIONS returned to counsel. g

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